

**DOCKET FOR REGULAR COUNCIL MEETING OF
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**DOCKET FOR REGULAR COUNCIL MEETING OF
TUESDAY, FEBRUARY 6, 2001 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO REDEVELOPMENT AGENCY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Redevelopment Agency Secretary at 236-6233.

ITEM-300: ROLL CALL.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the Mayor or the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under "Non-Agenda Public Comment."

COUNCIL COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== HEARINGS SCHEDULE ===

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-330: Hidden Trails.

Matter of approving, conditionally approving, modifying, or denying a Progress Guide and General Plan and Otay Mesa Community Plan Amendments, adoption of a Precise Plan, a MHPA boundary adjustment and a proposed 233-lot subdivision of a 207.7 acre site for 205 single-family residences, 224 multi-family dwelling units, a park site, open space, a vernal pool area and public streets within the existing A1-10 (proposed rezoning to R1-5000 and R-1500) zones, and a Planned Residential Development and Resource Protection Ordinance Permit, for property located on the east side of Ocean View Hills Parkway between Lyndhurst Terrace and Del Sol Boulevard in the Otay Mesa Community Plan area.

(89-0739/CPA/VTM/RPO/PRD/Precise Plan & MHPA Boundary Adjustment. Otay Mesa Community Plan area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and B; adopt the resolution in subitem D to grant the permit; adopt the resolution in subitem E to grant the map; and introduce the ordinance in subitem C:

Subitem-A: (R-2001-1085)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report (EIR) LDR-89-0739 has been completed in compliance with the California Environmental Quality Act (CEQA) of 1970 and State CEQA guidelines, and that said EIR reflects the independent judgment of the City of San Diego as Lead Agency; stating for the record that the final EIR has been reviewed and considered by the Council prior to approving the project; that pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council adopts the findings made with respect to the project; and adopting the Mitigation Monitoring and Reporting Program or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment.

Subitem-B: (R-2001-1086)

Adoption of a Resolution approving Amendments to the Otay Mesa Community

Plan, including MHPA Boundary Adjustment; adopting the Hidden Trails Precise Plan; and adopting an amendment to the Progress Guide and General Plan.

Subitem-C: (O-2001-111)

Introduction of an Ordinance changing 207.7 acres, located on the east side of Ocean View Hills Parkway between Del Sol Boulevard and Lyndhurst Terrace, in the Otay Mesa Community Plan area from the AR-1-1 zone (previously referred to as the A1-10 and Hillside Review Overlay [HRO] zones) to the RS-1-14, RM-2-5, OP-2-1 and AR-1-1 zones (previously referred to as the R1-5000, R-1500, OS, and A1-10 zones); and repealing Ordinance No. 10862 (New Series) and Ordinance No. 12704 (New Series) insofar as the same conflict herewith.

Subitem-D: (R-2001-)

Adoption of a Resolution granting or denying Resource Protection Ordinance and Planned Residential Development Permit No. 89-0739, with appropriate findings to support Council action.

Subitem-E: (R-2001-)

Adoption of a Resolution granting or denying Vesting Tentative Map (VTM) 89-0739, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission on November 30, 2000, voted 5 - 0 to approve; no opposition.

Ayes: Butler, Skorepa, Steele, Brown, Stryker.

Recused: Anderson, Garcia.

The Otay Mesa Community Planning Group, by a vote of 12-0-2 on September 20, 2000, has recommended approval of the project.

SUPPORTING INFORMATION:

The project proposes the subdivision and development of a 207.7 acre land area into 233-lots (205 single-family residential, 1-lot for 224 multiple-family residences, a park site and lots for open space and other subordinate uses). The project is located in the Otay Mesa Community Plan area generally east of Ocean View Hills Parkway between Lyndhurst Terrace and Del Sol Boulevard in the A1-10 and HRO (proposed RS-1-14, RM-2-5, OP-2-1 and AR-1-1) zones. The site is bounded by existing developed, developing and approved residential projects with an industrial park to the southeast. A Resource Protection Ordinance and Planned Residential Development Permit would regulate subsequent buildout of the project components.

The Planning Commission considered this project on November 30, 2000, and voted 5-0 (Anderson and Garcia recused) to recommend that the City Council adopt City staff recommendations to approve the project, as presented in the Planning Commission Report No. P-00-207. The Planning Commission's recommendation also included the addition of a condition to the draft RPO/PID Permit No. 98-0978 for the inclusion of non-contiguous sidewalks unless physical circumstances would preclude their use and to also provide an additional 24 multi-family dwelling units, at the applicants option, if an agreement is made with the Housing Commission to provide Affordable Housing. Staff supports the addition of these conditions. There was no opposition to this project at the Planning Commission hearing.

The City Manager recommends that the City Council approve the requested Amendments to the Progress Guide and General Plan and the Otay Mesa Community Plan, approve the Hidden Trails Precise Plan, adopt the Rezone Ordinance, approve the Vesting Tentative Map, approve the Resource Protection Ordinance and Planned Residential Development Permit Nos. 89-0739, and approve the MHPA Boundary Adjustment. The City Council must first certify the Environmental Impact Report, LDR-89-0739 and adopt the MMRP.

FISCAL IMPACT:

None.

All costs associated with the project are recovered from a deposit provided by the applicant.

Loveland/Christiansen/RMK

LEGAL DESCRIPTION:

The proposed project is located approximately one mile east of Interstate 805 between Otay Valley Road to the north and Interstate 905 to the south and is more particularly described as portions of Sections 19, 29, and 30, T18S, R1W, SBBM.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-331: McMillin Torrey Highlands.

Matter of approving, conditionally approving, modifying or denying a 155-lot subdivision of a 78.4 acre site and rezone from A1-10/HRO to the A1-10 (AR-1-1) and R1-5000/HRO (RS-1-14) to enable the development of 142 single-family residential units, one lot for 26 affordable multi-family dwelling units, open space and brush management lots, on-site mitigation lots and future freeway right-of-way. The site is located between the future State Route 56 Freeway and Street "A" westerly of the future Camino Ruiz within the boundaries of the Torrey

Highlands Subarea IV Plan Area.

(VTM/PRD/RPO/RZ-98-1177. District-1. Torrey Highlands Subarea IV Plan Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; adopt the resolution in subitem C to grant the permit; adopt the resolution in subitem D to grant the map; and introduce the ordinance in subitem B:

Subitem-A: (R-2001-1076)

Adoption of a Resolution certifying that the information contained in the Mitigated Negative Declaration (MND) LDR-98-1177 has been completed in compliance with the California Environmental Quality Act (CEQA) of 1970 and State CEQA guidelines, and that said MND reflects the independent judgement of the City of San Diego as Lead Agency; stating for the record that the final MND has been reviewed and considered prior to approving the project; and adopting the Mitigation Monitoring and Reporting Program (MMRP).

Subitem-B: (O-2001-110)

Introduction of an Ordinance changing 39.6 acres, located between the proposed street "A" and State Route 56 westerly of Camino Ruiz, in the Torrey Highlands Subarea IV Plan Area, in the City of San Diego, from the AR-1-1 Zone (previously referred to as the A1-10 and Hillside Review Overlay [HRO] Zones) to the RS-1-14 Zone (previously referred to as the R1-5000 and HRO Zones), as defined by San Diego Municipal Code Section 131.0403 (previously found in Sections 101.0407 and 101.0454); and repealing Ordinance O-8858 (New Series), adopted July 18, 1963, and Ordinance O-12657 (New Series), adopted May 22, 1979, of the Ordinances of the City of San Diego insofar as the same conflict herewith.

Subitem-C: (R-2001-)

Adoption of a Resolution granting or denying a Resource Protection Ordinance and Planned Residential Development Permit No. 98-1177.

Subitem-D: (R-2001-)

Adoption of a Resolution granting or denying Vesting Tentative Map VTM-98-1177.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to approve; no opposition.

Ayes: Anderson, Brown, Butler, Garcia, Skorepa, Stryker
Nays: None
Recused: Steele

There is no officially recognized community planning group for this area.

The following community group has taken a position on the item: Rancho Penasquitos Planning Board, on 11-01-2000, in favor: 14, opposed: 0.

SUPPORTING INFORMATION:

This project proposes the subdivision and development of a 78.4 acre land area into 155-lots (142-single-family residential, 1-affordable housing site and 12-lots for open space, freeway R.O.W., Brush Management and a mitigation bank). Located in the Torrey Highlands Subarea IV Plan area generally west of Camino Ruiz between McGonigle Canyon/Route 56 and the proposed "A" Street in the A1-10 and HRO (39.6 acres proposed for the RS-1-14) zone. The site is bounded by open space to the north and west, an approved residential map to the south and proposed development projects to the east. A Resource Protection Ordinance and Planned Residential Development Permit would regulate subsequent buildout of the project components.

The Planning Commission considered this project on November 30, 2000, and voted 6-0 (Steele recused) to recommend that the City Council adopt City staff recommendations to approve the project, as presented in the Planning Commission Report No. P-00-206. The Planning Commission's recommendation also included the addition of revised design guidelines for the residential products; the applicant has since provided this as directed. The draft Permit and VTM resolution attached to the Planning Commission Report, contain revised conditions agreed to by City staff and the applicant following the Commission Hearing. These changes were non-substantial and clarified the City staff intent.

There was no opposition to the project. The Rancho Penasquitos Planning Board, as the representatives of the neighboring community, voted 14-0-0 on November 1, 2000, to recommend approval of the project.

The City Manager recommends that the City Council adopt the Rezone Ordinance, approve the Vesting Tentative Map, approve the Resource Protection Ordinance and Planned Residential Development Permit Nos. 98-1177. The City Council must first certify the Mitigated Negative Declaration, LDR-98-1177 and adopt the MMRP.

FISCAL IMPACT:

None.

All costs associated with the project are recovered from a deposit provided by the applicant.

LEGAL DESCRIPTION:

The property is in the south portion of the Torrey Highlands Subarea (Subarea IV of the North City Future Urbanizing Plan Area) north of street A and west of Camino Ruiz and is more particularly described as a portion of Parcel 4, Map 8133.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-332: San Pasqual Mule Hill Trail Site Development Permit (SDP).

Matter of the appeal of San Dieguito River Park JPA, applicant for the project, from the decision of the Planning Commission in approving an application for a Site Development Permit (SDP) to construct a 9.4-mile hiking trail for hikers, bikers and equestrians, on 20.5 acres within the San Pasqual-Lake Hodges Planning area. The project site is generally located in the San Pasqual Valley to the east of I-15, south of Via Rancho Parkway and Highway 78 and north of Highland Valley and Bandy Canyon Roads.

(SDP-40-0711. San Pasqual-Lake Hodges Community Plan area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; and adopt the resolution in subitem B to grant the appeal as it pertains to modifying Condition 54 in SDP-40-0711 for posting of signs and as it pertains to the deletion of Condition 56 in SDP-40-0711 with conditions, and deny the appeal as it pertains to a waiver of processing fees, and grant the permit:

Subitem-A: (R-2001-)

Adoption of a Resolution stating for the record that the City of San Diego as Responsible Agency under CEQA has reviewed and considered the Final Mitigated Negative Declaration (FMND) dated 6/8/2000, prepared by the San Dieguito River Park Joint Powers Authority (JPA).

Subitem-B: (R-2001-)

Adoption of a Resolution granting or denying the appeal as it pertains to modifying Condition 54 in SDP-40-0711 for posting of signs and as it pertains to the deletion of Condition 56 in SDP-40-0711 with conditions, and granting or denying the appeal as it pertains to a waiver of processing fees, and granting or

denying SDP-40-0711, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission on January 4, 2001, voted 5 - 0 to approve Site Development Permit SDP-40-0711 with conditions; no opposition.

Ayes: Butler, Steele, Brown, Skorepa, Stryker

Not present: Anderson, Garcia

The San Pasqual-Lake Hodges Community Planning Group voted 5-0-0 to recommend approval of the proposed Site Development Permit.

SUPPORTING INFORMATION:

This project is located in the San Pasqual Valley to the east of I-15, south of Via Rancho Parkway and Highway 78 and north of Highland Valley and Bandy Canyon Roads in the San Pasqual - Lake Hodges Planning Area. The project being proposed by the Joint Powers Authority (JPA) is a trail for hikers, bikers, and equestrians on a 20.5 acre site. The project first appeared at Planning Commission on December 14, 2000, with a recommendation by staff to deny the project. This staff recommendation was based on a lack of basic information from the customer to adequately complete staff review and on unresolved issues with the project design. The project was continued. The staff received the needed information, worked with the JPA to resolve the access issues and subsequently recommended project approval. The Planning Commission approved the project on January 4, 2001. The applicant is now appealing the project to delete condition 56 of the permit (requiring the JPA to provide, maintain and store an emergency response vehicle). They also request that the City pay for the JPA's permit processing fees.

FISCAL IMPACT: None.

All costs associated with processing this project are recovered from a separate deposit provided by the applicant.

Loveland/Christiansen/Osby/MED

LEGAL DESCRIPTION:

The project site is generally located to the east of I-15, south of Via Rancho Parkway and Highway 78, and north of Highland Valley and Bandy Canyon Roads and is more particularly described as San Pasqual Valley within the San Pasqual-Lake Hodges Community Planning area.

ADOPTION AGENDA, HEARINGS

SPECIAL HEARING:

ITEM-333: Challenge to the Election of Betty Ens as Residential Tenant/Marina District - Project Area Committee.

(See memorandum from CCDC dated 1/8/2001. Centre City Redevelopment Project Area. Districts-2, 3, and 8.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1002)

Ratifying the election results of November 14-16, 2000, for the Project Area Committee for the Centre City Redevelopment Project Area.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCE INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:

ITEM-334: Carroll Canyon Business Park Rezoning.

(RZ-98-0978. Mira Mesa Community Plan Area. District-5.)

(Continued from the meeting of January 9, 2001, Item 53, at the request of Councilmember Maienschein for further discussion between all involved parties.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/12/2000. (Council voted 6-2. Councilmembers Peters, Wear, Atkins, Stevens, Maienschein, and Madaffer voted yea. Councilmembers Stallings and Mayor Murphy voted nay. District 8 vacant.):

(O-2001-80)

Rezoning 57.8 acres, located on the west and east side of Camino Ruiz along the proposed alignment of Carroll Canyon Road, in the Mira Mesa Community Plan area, from the AR-1-1 Zone (previously referred to as the A1-10 and Hillside Review Overlay [HRO] Zones) to the IL-2-1 Zone (previously referred to as the M-1B and HRO Zones).

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT